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**FILED**

**AUG 13 2019**

**SECRETARY, BOARD OF  
OIL, GAS & MINING**

*Attorneys for Utah Division of Oil, Gas and Mining*

**BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF UTAHAMERICAN ENERGY, INC., CENTENNIAL MINE, C/007/0019, FOR REVIEW OF THE CESSATION ORDER ISSUED BY THE DIVISION OF OIL, GAS AND MINING ON JUNE 1, 2018 AS MODIFIED AND AFFIRMED IN PART BY THE DIVISION'S HEARING OFFICER BY ORDER DATED AUGUST 28, 2018, FOR THE CENTENNIAL MINE LOCATED IN CARBON COUNTY, UTAH.

**JOINT MOTION FOR DISMISSAL OF  
UTAHAMERICAN ENERGY INC.'S  
REQUEST FOR AGENCY ACTION**

Docket No. 2018-021

Cause No. C/007/0019

The Utah Division of Oil, Gas and Mining (the Division) and UtahAmerican Energy Inc. (UEI), through their undersigned counsel, hereby notify the Board of Oil Gas and Mining (Board) that the parties have resolved this matter and therefore jointly move the Board for an order dismissing, with prejudice, UEI's Request for Agency Action (RAA).

**Termination of Cessation Order and Compliance with Division Order**

By Order dated November 27, 2019, the Board approved the amended stipulation of the parties (Stipulation) and stayed this matter pending: i) the Division's modification of the


Cessation Order No. 21214 (CO) and determination of a penalty for the modified CO, subject to UEI's right to appeal the penalty and fact of violation, and ii) the Division's issuance of a Division Order regarding abatement measures to be completed by August 1, 2019, subject to UEI's right to appeal. Specifically, the Stipulation provided (1) that a proposed penalty for the portion of the CO regarding wells that were determined to be leaking was to be determined by the Division and subject to rights of UEI to appeal the fact and amount to the Board; (2) the Division was to terminate the CO as to Wells 5A, 7 and 9, withdraw the portion of the CO regarding abatement measures as to additional unplugged wells, and the Division was to issue a Division Order requiring UEI to provide a plan for plugging the wells or explain why such action was not required or appropriate which would be subject to the Division's review; and (3) the wells were to be plugged pursuant to a plan approved by the Division by August 1, 2019 or this matter would be subject to further enforcement action by the Division that was to be reviewed by the Board.


Per the Stipulation, the Division proposed a penalty for the leaking wells and UEI paid the penalty and elected not to appeal the fact of violation. On December 12, 2018, the Division terminated the CO. On January 31, 2019, the Division issued Division Order (DO-19A) to address the abatement measures required by the CO. On May 20, 2019, the Division issued a Technical Memorandum accepting UEI's abatement plan. UEI retained a contractor and completed the abatement work by the August 1, 2019 deadline. The Division inspected the site and determined that UEI satisfactorily completed the abatement measures as required by the DO-19A.

#### **Request for Order Dismissing this Matter**

Based on the Division's termination of the CO and UEI's compliance with the Division Order, the parties request the Board to enter an Order dismissing this matter in the form proposed at Exhibit A, hereto.

Executed on the 13<sup>th</sup> day of August, 2019.

  
Denise Dragoo,  
Snell and Wilmer L.L.P.  
Counsel for Utah American Energy, Inc.

  
Steven F. Alder  
Assistant Attorney General  
Counsel for Utah Division of Oil, Gas and Mining.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 13th day of August, 2019, the foregoing **JOINT MOTION FOR DISMISSAL OF UTAHAMERICAN ENERGY INC.'S REQUEST FOR AGENCY ACTION** for Docket No. 2018-021, Cause No. C/007/0019, was served electronically upon the following:

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